

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:19-cr-00101-MR-WCM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GINGER LYNN CUNNINGHAM,

Defendant.

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ORDER

THIS MATTER is before the Court on the Defendant's Motion for Modification of Sentence [Doc. 38].

The Defendant Ginger Lynn Cunningham was convicted of wire fraud on July 16, 2020 and was sentenced to a term of 14 months' imprisonment. After receiving two referrals of her report date [Docs. 35, 37], the Defendant is currently scheduled to report to the Federal Bureau of Prisons (BOP) on December 30, 2020.

On December 21, 2020, the Defendant filed the present motion, seeking a modification of her sentence to an alternative form of punishment in light of the risks posed by the ongoing COVID-19 pandemic. [Doc. 38].

The Court finds that the Government should respond to the Defendant's Motion and will therefore defer her report date for a limited period.

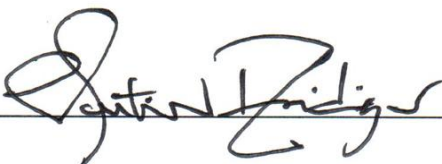
IT IS, THEREFORE, ORDERED that the Government shall respond to the Defendant's Motion for Modification of Sentence within fourteen (14) days of the entry of this Order. The Defendant shall have seven (7) days thereafter to file a reply.

IT IS FURTHER ORDERED that the deadline for the Defendant to report to the Federal Bureau of Prisons is **EXTENDED** to at least **January 30, 2021** so that the Defendant's motion may be fully briefed and considered by the Court.

The Clerk is directed to provide a copy of this Order to counsel for the Government, counsel for the Defendant, the United States Marshals Service, and the appropriate official at the Bureau of Prisons.

IT IS SO ORDERED.

Signed: December 22, 2020



Martin Reidinger
Chief United States District Judge

